

A BILL TO ESTABLISH AND INCORPORATE A UNIVERSITY IN MYSORE.

(As amended by the Select Committee.)

[The portions in square brackets are those omitted and those in italics newly added,
by the Select Committee.]

Preamble. WHEREAS it is expedient for the better encouragement and organisation of education to establish and incorporate a University in Mysore; His Highness the Maharaja of Mysore is pleased to enact as follows:—

Short Title.

1. This Regulation may be called "The Mysore University Regulation, 1916."

Commencement.

2. It shall come into force at once.

Definitions.

3. *In this Regulation unless there is anything repugnant in the subject or context,—*

- (a) "Council" means the University Council;
- (b) "Dean" means the Chairman of a Faculty of the University;
- (c) "Faculty" means a Faculty of the University;
- (d) "Ordinances" means the Ordinances of the University for the time being in force;
- (e) "Senate" means the Senate of the University;
- (f) "University" means the University of Mysore; and
- (g) "University Professors" means the University Professors appointed as such by the Government.

The University.

[3] 4. (1) The persons [mentioned in the Schedule I being] *who shall be specified in this behalf by a notification of the Government published in the official Gazette as the first Vice-Chancellor and members of [the Council and of] the Senate and of the Council, and all persons who may hereafter become, or be appointed as Vice-Chancellor and members of [the Council and] the Senate and the Council, [as the case may be,] so long as they continue to hold such office[s] or membership, are hereby constituted a body corporate by the name of the University of Mysore.*

(2) The University shall have perpetual succession and a common seal, and shall sue, and be sued, by the name first aforesaid.

(3) The University shall be deemed to be incorporated for the purposes, among others, of making provision for imparting education, literary, artistic and scientific, as well as agricultural, technical, commercial and professional, of furthering original research, of promoting the study of literature, art, philosophy, history, *medicine*, science and other branches of useful knowledge, and of imparting physical and moral training.

Power to grant degrees, etc.

[4] 5. The University shall have power—

- (a) to provide for instruction in such branches of learning as the University may decide and also for research, and for the advancement and dissemination of knowledge,
- (b) to grant and confer degrees and other academic distinctions to and on persons who shall have pursued a prescribed course of study in the University and shall have passed the examinations held by the University,
- (c) to grant diplomas, certificates or other distinctions to persons who have pursued a course of study under conditions approved by the University,

- (d) to confer honorary degrees or other distinctions,
 (e) to withdraw or cancel degrees, diplomas, certificates or other distinctions granted or conferred, and
 (f) to do all such other acts and things as may be required in order to further the objects of the University as a teaching and examining body.

[5] 6. The University shall be able and capable in law to take, purchase, and hold any property, movable or immovable, which may become vested in it for the purpose of the University by purchase, grant, testamentary disposition or otherwise; and shall be able and capable in law to grant, demise, alien or otherwise dispose of, all or any of the property, movable or immovable, belonging to the University; and also to do all other acts incidental or appertaining to a body corporate.

The Chancellor.

[6] 7. (1) His Highness the Maharaja of Mysore shall be the Chancellor and the highest controlling authority of the University. [and shall by virtue of his office have full control over the affairs of the University and shall take such part as may seem fit to him in presiding over convocations and other public functions of the University.]

(2) The Chancellor may at any time direct an inspection of the University [its] institutions, including buildings, laboratories and other appurtenances, generally, and for the purpose of seeing that the proceedings of the University are in conformity with the Regulation and the Ordinances.

(3) The Chancellor may, by order [communicated] in writing, annul any proceeding which is not, in his opinion, in conformity with the Regulation or the Ordinances:

Provided that before making any such order, he may call upon the University to show cause why such an order should not be made, and if any cause is shewn within a reasonable time, may consider the same.

[3] (4) The Chancellor may at any time appoint a Pro-Chancellor to exercise such powers and functions of the Chancellor as may be delegated to him by the Chancellor. The Pro-Chancellor shall, in all public functions connected with the University, take rank and precedence immediately after the Chancellor.

Authorities and Officers.

Authorities and Officers.

8. The authorities and officers of the University shall include:—

1. The Vice Chancellor,
2. The Council,
3. The Senate,
4. The Faculties and their Deans,
5. The Registrar, and
6. Such other authorities and officers as may be provided for by the Ordinances.

The Senate.

[7] 9. (1) The Senate shall, subject to this Regulation and the Ordinances, have the entire charge of the organisation of instruction in the University and the constituent colleges, the curriculum and the examination and discipline of students, and the conferment of ordinary and honorary degrees.

(2) The Senate shall consist of such number of members not less than forty and not more than sixty as may be fixed from time to time, by the Chancellor. Such members shall be styled Fellows and shall hold office for a term of two years.

(3) The members of the Senate [named in Schedule I] specified in the notification published under Section 4 (1) shall hold office for a term of one year

from the passing of this Regulation unless they vacate sooner by resignation or other cause. Any casual vacancy among such members shall be filled up by Government and a member appointed to fill such vacancy shall be a member for the residue of the said term of one year.

(4) After the lapse of the said term of one year, the Senate shall be composed of—

- (a) [the Vice-Chancellor and] the [other] members of the Council mentioned in Section 10 [8, the Inspector-General of Education in Mysore,]
- (b) the University Professors,
- (c) [ten] six members elected by the Senate, [or] six by Registered Graduates, and six members by the Faculties, in accordance with the Ordinances framed for the purpose, and
- (d) the remaining members [to be] nominated by the Chancellor;

Provided that the election and nomination of persons as Fellows shall be so regulated as to secure in the Senate a majority of persons [connected with] following the profession of education.

(5) The election of members shall be subject to the approval of the Chancellor.

(6) The Chancellor may, on the representation of the Senate, cancel the appointment of any person as a Fellow of the University, and as soon as such order is notified in the official Gazette, the said person shall cease to be a Fellow.

The Council.

[8] 10. (1) The Executive Government of the University including the general Council. *superintendence and control over the constituent Colleges* shall be vested in the University Council: [which shall consist of not less than nine and not more than twelve members. Of whom not less than four shall be University Professors.] *Provided that the Government may by rules framed in this behalf from time to time reserve to themselves such powers relating to the appointment, punishment, removal, and leave of the officers mentioned in Section 22, as they may deem fit.*

(2) The Council shall consist of not less than nine and not more than twelve members and shall comprise—

- (i) The Vice-Chancellor,
- (ii) *The Inspector-General of Education in Mysore,*
- [ii] (iii) The Principals of the constituent Colleges,
- [iii] (iv) The Deans of the Faculties of Arts and Science, and
- [iv] (v) The remaining members [to be] appointed by the Chancellor.

Provided that the Government may at any time direct that all or any of those who are not members *ex-officio* may be elected by the Senate from among its Fellows.

The Faculties.

[9] 11. The University shall include the Faculties of Arts and Science and such other Faculties as may from time to time be constituted by the Ordinances. Faculties.

The Vice-Chancellor.

Vice-Chancellor.

[10] 12. (1) The Vice-Chancellor shall be appointed by, and shall hold office during the pleasure of, the Chancellor.

(2) The Vice-Chancellor shall take rank in the University next to the Pro-Chancellor and shall be *ex-officio* Chairman of [the Council and] the Senate and the Council. He shall be the principal executive and academic officer of the [University Council and] the Senate and the Council and shall, in the absence of the Chancellor and Pro-Chancellor, preside over the Convocation and confer Degrees, and shall perform such functions and exercise such powers as the Senate and the

Council may authorise him in this behalf. [The Vice-Chancellor shall have such powers of superintendence and control over the constituent Colleges as may be defined in the Ordinances.]

Degrees.

[11] 13. The Senate may institute and confer such degrees, and grant such diplomas, licenses, [titles and marks of honour in respect of degrees] *certificates and other distinctions in respect of courses of study* and examinations as may be prescribed by the Ordinances.

[12] 14. Where [the Vice-Chancellor and] *at a meeting of the Council* not less than [three-fourths of the other] *eight members* [of the Council] recommend that an honorary degree be conferred on any person on the ground that he is, in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such a degree and where their recommendation is supported by not less than two-thirds of the members present at a meeting of the Senate and is confirmed by the Chancellor, the Senate [may] *shall confer [on such person] the honorary degree on such person [so recommended].*

[13] 15. Where evidence is laid before the Council showing that any person on whom a degree, diploma, license, [title or mark of honour] *certificate or other distinction* has been conferred or granted by the Senate has been convicted of what [is] in [their] *the opinion of the Council is a serious offence, involving moral delinquency and where at a meeting of the Council not less than eight members* [the Council may propose] *recommend* to the Senate that the degree, diploma, license, [title or mark of honour] *certificate or other distinction* be cancelled, and [if] *where the [proposal] recommendation* is accepted by not less than two-thirds of the Fellows present at a meeting of the Senate and is confirmed by the Chancellor, the degree, diploma, license, [title or mark of honour] *certificate or other distinction* shall be cancelled accordingly.

The Constituent Colleges.

[14] 16. The Central College, Bangalore, and the Maharaja's College, Mysore, and such other colleges and institutions in Mysore or Bangalore as may be [handed over] *transferred* to the University to be managed as its constituent parts shall be deemed to be constituent Colleges of the University *and all properties, movable or immovable, attached to such constituent Colleges shall vest in the University.*

Finance and Control.

[15] 17. All grants made [in] *by the Government [Budget of each year] from time to time, and all sums paid or endowments made [into the Treasury] by private persons or local authorities, for the purposes of the University, together with all fees [and donations] received, and rents, profits and other income derived from the property and funds vested in the University, shall form a fund styled the University Fund, which shall be at the disposal of the University to be employed for any of the purposes mentioned in this Regulation or in the Ordinances.*

[16] [Notwithstanding anything contained in this Regulation, all Professors, Assistant Professors and other officers and servants now employed in the constituent Colleges of the University, and all such as may be employed hereafter for carrying on the work of the University, shall, unless a reservation to the contrary is made at the time of their employment, be deemed to be officers holding appointments under the Government and shall in all respects be entitled to the privileges and subject to the restrictions and obligations laid down in the Mysore Service Regulations.]

[17] 18. (1) The Council shall have prepared and laid before [them] *the Senate at a meeting to be held not later than the month of [March] April every year, [complete] accounts of receipts and expenditure of the University for the previous year ending the 30th*

June [preceding, and at a subsequent meeting, which shall be held in this behalf on such day as may be fixed by the Ordinances, a complete account of the actual and expected receipts and expenditure for the current year] together with [a budget] an estimate of the income and expenditure of the University for the year to commence on the 1st July.

(2) The budget as passed by the Senate shall be submitted to Government, and it shall be competent to Government to sanction the budget with such modifications, if any, as they deem fit. [The budget so sanctioned may, subject to the sanction of Government, be varied or altered from time to time as circumstances may render desirable, at a special meeting of the Council called for the purpose.]

[(3) No expenditure shall be incurred unless provided for in a budget so sanctioned, varied or altered.]

[18] 19. (1) The accounts of the University shall be audited [once] at least once in every year and at intervals of not more than fifteen months [be audited] by such agency as may be prescribed by the Ordinances, or if the Government so direct, by auditors appointed by Government.

(2) The auditors shall, for the purposes of their office, have access to all the accounts and other records of the University.

(3) The accounts, when audited, shall be published together with the auditor's report, in such form as may be prescribed by Government, and a copy thereof shall be submitted to Government.

[19. The Council shall submit to Government without delay copies of their proceedings and orders and of the proceedings of the Senate.]

20. If at any time Government are of opinion that in any matter the affairs of the University are not managed in the furtherance of the objects and purposes of the University or in accordance with this Regulation and the Ordinances framed thereunder or that special measures are desirable to maintain the standard of University teaching or examinations, they may indicate to the Council any matter in regard to which they desire explanation, and call upon that body to offer such explanation as they desire to offer within such time as may be prescribed.

If the Council fail to offer any explanation within the time prescribed, or offer any explanation which in the opinion of Government is unsatisfactory, Government may issue such instructions as appear to them to be necessary and desirable in the circumstances of the case [and the Council shall give effect to such instructions] and may exercise such powers as may be necessary for giving effect to those instructions.

Ordinances.

21. (1) Subject to the provisions of this Regulation, the Senate may, from time to time, make any Ordinances required for carrying out all or any of the purposes of this Regulation.

(2) Such Ordinances may provide for any or all of the following, among other matters, namely:—

- (a) the constitution, powers and duties of [the Council,] the Senate, the Council, the Faculties and all such other bodies as it may be deemed necessary to constitute from time to time;
- (b) the nomination, election and continuance in office of the members of the said bodies, and the filling of vacancies among members and all other matters relative to those bodies which it may be necessary or desirable to provide;
- (c) the number and designation of officers of the University, their powers, and duties, and the terms for which they shall hold office;
- (d) the payment of fees to the University in relation to the enjoyment of privileges therefrom;
- (e) the degrees, diplomas, licenses, certificates and other academic distinctions to be awarded by the University, the qualifications for the same,

and the means to be taken relating to the granting and obtaining of the same;

- (f) the withdrawal or cancellation of degrees, diplomas, licenses, certificates and other academic distinctions;
- (g) the tenure of office, the terms and manner of appointment, and the duties of examiners and examining Boards;
- (h) the discipline to be enforced in regard to graduates and under-graduates;
- (i) the membership of the University, the duties and privileges of members and removal from membership;
- (j) the admission of students to the University and its examinations; and
- (k) all such other subjects as are required or authorised by the Regulation to be prescribed by means of Ordinances.

(3) The First Ordinances shall be those [set out in the Schedule II] framed by Government and published in the official Gazette.

(4) The Senate may, from time to time, [may] make new or additional Ordinances or amend or repeal the Ordinances in force.

(5) The Council shall have power to draft [or] and propose to the Senate Ordinances to be made by the Senate and it shall be the duty of the Senate duly to consider the same.

(6) All new Ordinances and additions to the Ordinances, and all amendments and repeals of the Ordinances shall, before they come into effect, require the previous approval of the Government, which may sanction, disallow or remit the same for further consideration.

Miscellaneous.

22. Notwithstanding anything contained in this Regulation, all Professors, Assistant Professors, and other officers and servants now employed in the constituent colleges of the University, and all such as may be employed hereafter for carrying on the work of the University, shall, unless a reservation to the contrary is made at the time of their employment, be deemed to be officers holding appointments under the Government and shall in all respects be [entitled to the privileges and subject to the restrictions and obligations laid down in the Mysore Service Regulation] governed by the rules framed by the Government and in force for the time being.

[22] 23. The [Council, the] Senate and the Council and other bodies that may be constituted under the Regulation and the Ordinances may make such subsidiary rules, not inconsistent with this Regulation and the Ordinances in force, as may be required to regulate the conduct of the business entrusted to them severally.

[23] 24. No act or proceeding of the [University] Senate, the Council or other bodies constituted under the Regulation or the Ordinances shall be deemed to be invalid merely by reason of any vacancy in [any class of the Fellows or members of the Senate or Council] the body doing or passing it or by reason of the total number of Fellows or of members [of] following the profession of education being less than the minimum prescribed by this Regulation, at the time any such act or proceeding is done or [had] passed.

No. 37—L.C., dated 10th July 1916.

The adjourned meeting of the Mysore Legislative Council will be held in the Public Offices Buildings, Bangalore, on Monday the 17th July 1916 at 12 noon.

By Order,

G. SREENIVASA IYER,

Secretary, Mysore Legislative Council.